

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:13-cv-00518

WILDEARTH GUARDIANS,

Plaintiff,

v.

UNITED STATES OFFICE OF SURFACE MINING, RECLAMATION, AND ENFORCEMENT, AL KLEIN, in his official capacity as Western Regional Director of the Office of Surface Mining, Reclamation, and Enforcement, Denver, Colorado, and SALLY JEWEL, in her official capacity as Secretary of the United States Department of the Interior,

Defendants,

and

TRAPPER MINING INC.,

Defendant Intervenor.

ORDER GRANTING TRAPPER MINING INC.'s MOTION TO INTERVENE

Kane, J.

Trapper Mining Inc.'s Unopposed Motion to Intervene, Doc. 9, is GRANTED.

Defendant Intervenor's participation is not, however, without limitation. Counsel for Federal Defendants and counsel for Trapper Mining Inc. must confer before filing any motion, responsive filing, or brief to determine whether their positions may be set forth in a consolidated fashion. Defendant Intervenor may file separate motions, responsive filings, or briefs only to raise arguments or issues Federal Defendants decline to raise in their filings. Any new arguments raised by Defendant Intervenor must be germane to the claims raised by the original parties; arguments relating to collateral issues will be stricken as immaterial. Any separate filings must include a Certificate of Compliance, confirming compliance with this conferral requirement. The Certificate of Compliance should also include a statement that the Federal

Defendants' position does not adequately cover the issues Defendant Intervenor seeks to raise by way of supplemental filings.

DATED: April 23, 2013

BY THE COURT:
/s/John L. Kane
U.S. Senior District Judge